

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
City Hall Training Room
Thursday, February 21, 2013**

Attending:

Mayor Steven Gaer
Council Member Ted Ohmart
Council Member Jim Sandager
City Manager Greg Sparks
Development Planning and Inspection Manager
Christopher Shires

City Engineer Duane Wittstock
City Attorney Dick Scieszinski
Chief Building Inspector Rod Van Genderen
Assistant to the City Manager Aaron Chittenden
Planner Linda Schemmel
Planner Kara Tragesser
Planner Lynne Twedt

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:30 a.m.

1. Franchise Architecture

Development Planning and Inspection Manager Shires provided that the department had been experiencing more requests from franchise operations, such as the new and existing McDonald's, to construct standard/prototype stores or update the exterior of their existing stores to match their latest prototype. Several issues have become apparent with these applications in the proposed design with conformance to standards within the Comprehensive Plan, Zoning and Sign ordinances, and related PUDs. Specifically, staff has concerns with the uniform appearance of these franchise buildings, and the ability to readily reuse the building for a new use when the original use vacates the building.

Planner Schemmel began by discussing how staff reviews architecture and that we have been seeing more development proposals using franchise or standardized architecture. She continued to discuss the elements of franchise architecture and some of the related concerns, such as limits on building reuse when the occupancy changed, trademarked architectural elements that could be considered signage, and the loss of unique architectural character within the City. Properties within the overlay district covered by architectural standards within a PUD are less of an issue, but current city code does not fully address franchise architecture in other areas not in the overlay district or within a PUD.

Specifically, the new 22nd Street McDonald's building will be constructed using high quality materials, i.e., brick, but McDonald's proposes to erect their latest prototype store and have included trademarked arched elements in the design. McDonald's did state that they have incorporated the arches as an architectural extension, and that the arches should not be considered signage. The arches are a trademarked design and no one can use or duplicate the design, but staff would consider them signage, and as such McDonald's would need to comply with the sign ordinance. Ms. Schemmel informed the committee that McDonald's had indicated that they are not interested in changing these designs as they have been standardized for all new McDonald's buildings throughout the country.

Council Member Sandager commented that the real concern then was the reuse of a building when vacated, subleased, or sold. He stated that the developer needed to meet sign code requirements for the arched elements. He did like the new modern look of McDonald's and suggested that sign code compliance could be met by eliminating the other signage.

Council Member Ohmart agreed that the sign ordinance needed to be adhered to and signage be incorporated that fits the current code.

Mr. Shires asked for direction from the committee if staff should pursue adding language to the zoning code that would limit franchise architecture citywide.

Mayor Gaer noted that he did not find the McDonald's rendering offensive, and it was much better than having a vacant building. Also, creditability needed to be given to the property owners as they will factor in the reuse of their buildings when designing them. The Mayor expressed that we need to work with the applicant when they are proposing to redevelopment existing sites.

Council Member Ohmart commented that in this context, the proposed McDonald's was next to a Hooters and a Taco Bell which had corporate architecture. He pointed out that often after a building met its use over time, it was then torn down. Thus, he thought that an architectural decision would depend on the area. Council Member Sandager expressed agreement that the current process remain status quo, but he had a concern in this situation with the arches as the City had not approved roof signs in the past.

Mayor Gaer expressed that development needed to be encouraged, and that staff should work with developers in meeting current City requirements including meeting the sign code.

Mr. Shires commented that in addition to the arches, the McDonald's sign was too large and was above the roof line so it does not comply with the sign code. It would have to be lowered and reduced in size. Staff will work with McDonald's to meet current sign code regulations.

Directions: The Council Members requested that each request for architectural design be addressed on a case-by-case basis when not covered under a PUD, Comp Plan criteria, or overlay district, so as not to impede redevelopment.

2. Upcoming Projects

- Jordan Creek Parkway McDonald's Remodel – Mr. Shires stated that McDonald's was requesting approval for a Major Modification to construct a building addition, change the building exterior to match their latest prototype, and modify the drive-thru to increase capacity at their 1320 Jordan Creek Parkway location. This is a challenging site due the small size of the property and the proposed drive-thru queuing lane which would be 6 feet off the current property line along Jordan Creek Parkway. Ms. Schemmel commented that there was no context to respond to the proposed re-skinning of the building. The big concern was that 20 existing parking spots would be eliminated with the redesign, and that the ultimate right-of-way line would be in the drive-thru lane. Twelve feet of additional right-of-way is needed along the Jordan Creek Pkwy frontage to meet Comprehensive Plan criteria. When the parking lot is redesigned, there needs to be assurances that the ultimate right-of-way can be met.

Council Member Ohmart stated that the same situation existed at the S. 51st Street McDonald's with regard to circulation, stacking, and access to parking.

Even though this McDonald's has been very successful in this location, City Engineer Wittstock noted that there would be an increase in the traffic volume with the remodel, and that staff does need to raise the question if it made sense to expand this site from a traffic generation perspective. Council Member Sandager commented that the site would be much improved with the remodel.

Direction: The Council Members requested staff to continue to work with the developer to meet architectural standards, including compliance with the sign code, and address site circulation and future right-of-way issues.

- Lot 7, Country Club Office Plaza – Plat-of-Survey for Detention Pond - Mr. Shires stated that R&R Reality has submitted a Plat-of-Survey to plat out their detention pond, located at the southeast corner of 72nd Street and Office Plaza Drive, that provides regional detention for the area. It is R&R's intention to deed the pond to the Owners Association so that the Association could own it, charge dues, and obtain maintenance responsibilities. This would be in lieu of the typical subdivision process (Preliminary Plat and Final Plat); and thus, a policy should be created for when Plats-of-Survey are appropriate such as in certain situations like this. Mayor Gaer interjected that this option made sense as it would facilitate a shorter approval process and be more cost effective when platting a lot that was unbuildable such as in the case of this detention pond. The Association would never sell off the property which would protect the City. This will be included in the storm water maintenance agreement being provided to the City.

Direction: The Council Members had no objections to this proposal and requested that staff formulate a Plat-of-Survey policy and bring it back for subcommittee review.

- Plaza at Jordan Creek (Hurd Property) – Planner Twedt informed the Committee that Dick’s Sporting Goods plans to locate into the Plaza at Jordan Creek development located at the northeast corner of S. Jordan Creek Pkwy and Mills Civic Pkwy. A map was provided and Ms. Twedt pointed out the pavement that needs to be relocated, the proposed building pads, the full-access point along S. Jordan Creek Pkwy, and the revised parking lot design. This will require an amendment to the existing Specific Plan, as well as a Site Plan. To keep the project moving, Mr. Hurd had requested that, as he is going through the Specific Plan amendment and Site Plan review and approval process, he be allowed to proceed with a Minor Modification now to modify part of the existing pavement and construct a building pad as soon as possible to accommodate Dick’s Sporting Goods construction schedule. As this would not comply with the existing Specific Plan, the Minor Modification request will be brought forward to the Plan and Zoning Commission and City Council for review and consideration.

Directions: The Council Members were in supportive of moving ahead with this project and the Minor Modification.

3. Other Matters

- There were no other matters.

The meeting adjourned at 8:40 a.m. The next Development and Planning City Council Subcommittee meeting is scheduled for Thursday, March 7, 2013.

Christopher Shires, Development Planning
and Inspection Manager

Kim Taylor, Recording Secretary